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TAGS: [PHUM](#) [PGOV](#) [PREL](#) [PINS](#) [SOCI](#) [AJ](#)
SUBJECT: VISIT TO ONE OF AZERBAIJAN'S MOST NOTORIOUS
PRISONS: GOBUSTAN PRISON ONE

SENSITIVE BUT UNCLASSIFIED - NOT FOR INTERNET DISTRIBUTION.

11. (SBU) SUMMARY: An OSCE-led delegation visited Gobustan Prison One - notorious for abuses, mysterious deaths, and restive inmates -- to assess conditions and meet with prisoners. The delegation met with Elchin Amiraslanov, Arif Kazimov, and Safa Poladov, three individuals determined to be political prisoners from the Council of Europe's 2001 list. While these inmates had complaints about food and medical treatment, they appeared to be better off than most other prisoners. Although several prisoners showed visible signs of neglect, the facility was overall in better condition than expected. We view the Ministry of Justice's decision to allow the delegation access to the prison as a positive step.
END SUMMARY

BACKGROUND

12. (SBU) Gobustan Prison One is widely considered to be among Azerbaijan's most notorious prisons, with reports from human rights activists that inmates are subjected to physical and psychological violence. It is perhaps most well known for a 1999 prison riot/mutiny, in which eleven inmates and two prison guards were killed after a group of approximately 30 inmates took 28 hostages (two of whom are reported to have been killed) and demanded safe passage out of the country. The prison is also known for a high number of alleged suicides and murders. In 2006, three inmates were found hanged, which the GOAJ reported as suicides. One prisoner was reported to have committed suicide, but according to the press, another inmate sent a letter to the deceased's family claiming that the man had been beaten to death by prison guards. Two inmates died in their cells under mysterious circumstances - one blamed on a fire started by a cigarette, another on heart failure. In March, one inmate was murdered by his two cellmates; another was murdered by his cellmate on August 12. On August 16, five inmates attempted suicide but were discovered by prison guards before they died.

13. (SBU) In an article published by the Institute for War and Peace Reporting entitled "Azerbaijan: Spotlight on Horror Jail" with the by-line "Mysterious deaths mount in high security prison," Sahib Mamedov, head of the Citizens Labor Rights Protection League, said "Violations of law and mistreatment of prisoners happen in other jails, too. But suicides of prisoners and murders by jailers are particularly frequent in the Gobustan prison." In the same article, former prisoner Polad Gajiev is quoted as saying "After visits by commissions, jailers beat prisoners, who have complained to representatives of human rights organizations, within an inch of their lives. That is why, however intolerable the prison life, most prisoners dare not complain to anyone."

14. (SBU) Poloff took part in an OSCE-led visit to Gobustan's Prison One to assess prison conditions and meet with high profile prisoners. Participants included OSCE Baku's Legal Advisor; diplomats from the British, French, German, and Norwegian Embassies; the Council of Europe Special Representative; and ABA-CEELI's Criminal Law Liaison. Alizade Huseynov, the facility's current governor, briefed the delegation upon arrival. According to Huseynov, the facility can hold a maximum of 650 prisoners, and on the day of the visit, there were a total of 649. He explained that three categories of prisoners were incarcerated at Prison One: prisoners serving life sentences, prisoners who had misbehaved at other facilities, and prisoners who had committed serious crimes and were ordered by the court to serve a portion of their sentence at this facility. In addition, a maximum of 56 spaces were reserved for prisoners who had committed less serious crimes and were fulfilling their sentences by working as prison employees. As of May 31, the prison was housing 207 lifers and 331 who had been sent from other facilities; 48 prisoners were working as employees.

15. (SBU) Huseynov reviewed the prison's procedures, explaining that each category of prisoners is divided into different wings. He said that lifers are held in one or two-person cells, while other inmates live in eight to ten-person cells. According to Huseynov, each prisoner receives three hot meals per day, including one meat dish each day. Huseynov said that he and one of the doctors sample the dishes before they are served to the inmates. Prisoners are entitled to one hour of outdoor exercise daily, and Huseynov said, depending on their classification, can

BAKU 00001037 002 OF 003

receive visitors and packages, and make phone calls. He said that inmates may meet with their lawyers any time during working hours (09:00 to 18:00). Huseynov said that five doctors work in the medical unit, and they check on each prisoner in their assigned wings each day.

16. (SU) The facility has a small prayer room, which Huseynov said that all prisoners are allowed to use, although many prefer to pray in their cells. According to Huseynov, inmates have unlimited access to the prison's library, which has books in Russian and Azerbaijani, including one shelf of legal reference materials, and a small selection of pro-government newspapers. He said that inmates are allowed to check out as many books as they like to read in their cells. Huseynov said that prisoners are allowed to subscribe to any newspaper they like, although most do not have money to do so. Many inmates have radios, and are permitted to listen to programs at their discretion. This facility, like all others in Azerbaijan, does not have television or computers for inmates to use. However, Huseynov pointed out, in the fall, Parliament may consider a draft law proposing that prisons be equipped with televisions.

17. (SBU) In response to questions regarding allegations of human rights abuses at the prison, Huseynov said that since he has been in charge, no guard has beaten or tortured any prisoner. (NOTE: Huseynov's predecessor, Sadagat Agayev, was dismissed in November 2006 on accusations of abuse of power.) According to Huseynov, there have been two major hunger strikes since he took over; both were carried out by inmates serving life sentences. Huseynov explained that in 1998, Azerbaijani law had been changed so that the death penalty would no longer be used. At that point, most individuals who had previously been sentenced to death were granted life sentences, although some appealed the prior ruling and received 15-year sentences instead. The hunger strikes were carried out by the group of lifers in protest to their sentences; they believe that they, too should have been given 15-year sentences once the law was changed. (NOTE: A

large group of inmates serving life sentences carried out another hunger strike in June, and appealed, unsuccessfully, to the Supreme Court to reduce their sentences.)

VISITS WITH PRISONERS

¶8. (SBU) The three remaining political prisoners from the Council of Europe's (COE's) 2001 list, Elchin Amiraslanov, Arif Kazimov, and Safa Poladov, are incarcerated at Gobustan Prison One. These men were convicted and sentenced to death on charges of participating in mutinies within special police units in March 1995; participating in an attempted coup plot (involving a total of 30 participants); and attempting to assassinate five prominent figures in Gazakh, an Azerbaijani city near the Georgian border, in October 1996. Although these men were retried in 2004 (with court rulings upholding the life-sentence verdicts), the Parliamentary Assembly of the COE (PACE) declared that these trials, like those of many others on the 2001 list, did not meet COE standards. PACE continues to call upon the GOAJ to release these individuals.

¶9. (SBU) Half of the delegation, including Poloff, visited Arif Kazimov and Safa Poladov in their shared cell. Although the group was allowed to enter the cell and have a lengthy conversation with the inmates, prison guards lingered nearby the open door, where they could overhear the discussion. The cell was small and cluttered, but had recently been cleaned and reeked of ammonia. Kazimov and Poladov complained about prison food, noting specifically that prison bread causes mouth sores, and explained that they no longer eat food from the prison cafeteria, but are sustained by food brought in by family members. They had serious issues with the prison's medical care; one had undergone surgery on his head and the other on his stomach while in the prison rather than being transferred to a hospital.

¶10. (SBU) Kazimov and Poladov complained about the small area designated for the daily hour of exercise inmates are allowed. They said that because of the intense heat from direct sunlight in that area, for the past year and a half, they have refused to exercise. Although one complained of having been beaten once by a prison guard, both claimed that, in the past, they had received privileged treatment but now "are treated like the others." Kazimov and Poladov turned to their legal cases, noting their anger with the treatment they have received from human rights activists. They claim that certain activists said they would raise their cases with the GOAJ for a fee of \$20,000, but refused to name these individuals.

BAKU 00001037 003 OF 003

¶11. (SBU) The other half of the delegation visited Elchin Amiraslanov (determined by COE to be a political prisoner) and Ali Guliyev (not a political prisoner, but a high-profile lifer convicted of multiple homicides). A local staff member from the Council of Europe later told Poloff that Amiraslanov and Guliyev had few complaints about their treatment while in detention, and focused instead on the court decisions that upheld their verdicts. Amiraslanov told the group that he was able to receive medication sent from Germany with no problems. Guliyev mentioned that he has not been given access to newspapers that he would like to read.

¶12. (SBU) Poloff's half of the delegation visited a few random cells to assess the conditions of average prisoners. Although the group was only able to get a quick glimpse of the cells (from the outside) and speak briefly with the inmates in the immediate vicinity of the prison guards, it was clear that life for the average prisoner is much more difficult than that of the high-profile prisoners. One man's skin was covered in a rash, and his wrist and lower arm were bandaged due to self-inflicted cutting (which he showed the group). The prison guards seemed embarrassed and assured the delegation that this prisoner would be transferred

immediately to a hospital. Another man, who appeared to have a mental disability, complained that he has not received his invalid pension since imprisonment. Upon departure, inmates began shouting and pounding on their cell doors in an attempt to get the group's detention. The commotion spread quickly, and one disgruntled prison guard shouted angrily: "I don't care if I get fired - I have been working here for years and now have to deal with this because you visited!"

COMMENT

¶13. (SBU) We view the Ministry of Justice's decision to grant the OSCE-led delegation access to the prison - and the cooperative behavior of the facility's governor - as a positive step. Although the facility clearly had been cleaned thoroughly prior to the delegation's arrival, in general, the facility itself was better than expected. The prisoners' treatment, however, is another question, and from the glimpse we got during our visit and reports from human rights activists, it would appear that prison guards are not the model citizens portrayed during our visit. Life for the average inmate is likely quite difficult, but because it is impossible to meet with these inmates without eavesdroppers lingering nearby (and the understood threat of repercussions), we may never know the full story. The OSCE plans to lead periodic delegations to visit more of Azerbaijan's prisons; we will participate and continue to report on prison conditions.

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